IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 16th day **of** June, 2003.

Bail Application no. 319 of 2003

Order on the Bail application of accused/applicant.

CRIMINAL SIDE

Rajeev son of Sri Ratan Lal
R/o Village-Ikkad Khurd,
Police Station-Pathari,
District-Haridwar. …….….. Applicant

Versus

State of Uttaranchal. ……...……...……..Opp. Party.

Arising out of Case Crime no. 129 of 2002
Under Sections 304 B I.P.C. Police Station-Pathari,
District- Haridwar

By the Court

Hon'ble P. C. Verma, A. C. J.

Heard learned counsel for the applicant as well as learned Addl. Government Advocate.

This is first bail application of the applicant. Perused the record of bail application. In this case the deceased has made dying declaration. She stated in her dying declaration before the Tehsildar Magistrate that she was lightening the lamp but suddenly matchstick fell down upon her and her clothes caught fire. All other members of the family were out. Only the Nanda (sister of the husband) of the deceased was with her who was cooking meal. She further stated that the caught fire accidentally.

In view of the dying declaration made by the deceased prima facie case for bail made out.

Let the applicant Rajeev be released on bail in case crime No. 29 of 2002, Under Section 304 B I.P.C., Police Station-Pathari, District-Hardwar on his furnishing a personal bond and surety bonds to the satisfaction of C.J.M., Hardwar.

(P.C. Verma, A. C. J.)

16.06.2003
Dhyani